IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

ANGELA D. GREENE)	
Plaintiff,)	
)	
v.)	
NANCY A. BERRYHILL, Acting Commissioner of Social Security,)	Civil No. 1:16-CV-321-DSC
Defendant.)	
)	

ORDER

Plaintiff's counsel filed a Motion for attorney's fees under 42 U.S.C. § 406(b) in the amount of \$17,321.00. This fee request is in addition to the \$4,924.85 in fees already awarded by this Court under the Equal Access to Justice Act (EAJA).

Defendant filed a reply to the Motion noting that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is ORDERED that Plaintiff's counsel is awarded fees under 42 U.S.C. § 406(b) in the amount of \$ 17,321.00. Counsel is ordered to refund to Plaintiff the \$4,924.85 previously ordered under the EAJA.

SO ORDERED.

Signed: August 20, 2018

David S. Cayer

United States Magistrate Judge